

#12

**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Small Entry)**

**Docket No.
12482.11**

In Re Application Of:
GILBERT BLAISE ET AL.

**Serial No
09/402,642**

**Filing Date
OCTOBER 1, 1999**

**Examiner
J.F. WEISS**

**Group Art Unit
3761**

Invention: INJECTION SYSTEM FOR DELIVERY OF A GASEOUS SUBSTANCE

ASSISTANT COMMISSIONER FOR PATENTS

Attention: Office of Petitions

Box DAC

Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

- NOTE:** A grantable petition requires the following items:
- (1) Petition fee.
 - (2) Reply and/or issue fee;
 - (3) Terminal disclaimer with disclaimer fee—required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
 - (4) Statement that the entire delay was unintentional.

1. ☐ A proposed reply to the above-identified Office Action:
 - ☐ is enclosed. ☒ was filed on NOVEMBER 22, 2002
 - The proposed reply is in the form of: AN AMENDMENT
2. ☐ The issue fee:
 - ☐ is enclosed. ☐ was paid on _____
3. ☐ A small entity declaration:
 - ☐ is enclosed. ☒ was filed on SEPTEMBER 30, 1999
4. ☐ The abandoned application was a:
 - ☐ design application. ☒ utility application ☐ plant application.
5. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.
6. ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Small Entity)****Docket No.
12482.11****In Re Application Of
GILBERT BLAISE ET AL.****Serial No.
09/402,642****Filing Date
OCTOBER 1, 1999****Examiner
J.F. WEISS****Group Art Unit
3761****Invention: INJECTION SYSTEM FOR DELIVERY OF A GASEOUS SUBSTANCE****Calculation and Payment of Fees**

Enclosed are the following fees:

- 7 ☒ Petition fee under 37 CFR 1.17(m) in the amount of. \$650.00
- 8 ☐ Fee for amendment in the amount of: _____
- 9 ☐ Fee for extension of time to reply to Office Action in the amount of: _____
- 10 ☐ Issue fee in the amount of: _____
- 11 ☐ Continuing application filing fee in the amount of: _____
- 12 ☐ Terminal disclaimer fee in the amount of: _____
- 13 ☐ _____

Total fees enclosed: \$650.00The fee of **\$650** is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 07-1742
- A duplicate copy of this sheet is enclosed.

14:30

From-GOUDREAU GAGE DUBUC

T-660 P.02/19 F-091

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. 09/402,642
Filing Date October 1, 1999
Inventor Gilbert Blaise et al.
Group Art Unit 3761
Examiner J.F. Weiss
Attorney's Docket No. 12482.11
Title: INJECTION SYSTEM FOR DELIVERY OF A GASEOUS SUBSTANCE

TV/jr

June 13, 2003

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

GROUP 3700

JUN 19 2003

FAX RECEIVED

Sir:

In furtherance to the Advisory Action mailed on December 3, 2002 which stated that the reply in the above-captioned file of November 22, 2002 failed to place the application in condition for allowance, and as such, the application is now abandoned, the Applicant petitions the Commissioner of Patents to reinstate the instant application on the following grounds:

1. THAT the Applicant unintentionally abandoned the present application and wishes to continue further prosecution thereof;
2. THAT the Applicant believed that its response of November 22, 2002 would have placed the application in full condition for allowance and as such, responded within the six (6) month deadline;
3. THAT the Applicant's delay in responding to the Office Action of May 22, 2002 and to the Advisory Action of December 3, 2002 was solely due to financial reasons and not a lack of willingness to prosecute the instant application.

Therefore, the Applicant's Agent asks that the USPTO charge its Deposit Account No. 07-1742 for any fees associated with the revival of an unintentionally abandoned

RECEIVED

OCT 14 2002

11 22 3601 3115.00

14:30

From-GOUDREAU GAGE DUBUC

T-660 P.03/19 F-091

2


application.

Furthermore, a Request for Continued Examination (RCE) is attached herewith.

Please charge any additional fees or credit any overpayment to Deposit Account No. 07-1742.

Respectfully submitted,


by:


Alain M. Leclerc
Registration No. 37036

Alain M. Leclerc, Patent Agent
GOUDREAU GAGE DUBUC
3400 Stock Exchange Tower
P.O. Box 242, Victoria Square
Montréal, Québec, Canada
H4Z 1E9
Telephone (514) 397-7675
E-Mail: aleclerc@ggd.com

BEST AVAILABLE COPY

2

Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b) (Small Entity)			Docket No. 12482.11
In Re Application Of GILBERT BLAISE ET AL.			
Serial No. 09/402,642	Filing Date OCTOBER 1, 1999	Examiner J.F. WEISS	Group Art Unit 3761
Invention: INJECTION SYSTEM FOR DELIVERY OF A GASEOUS SUBSTANCE			
<p style="text-align: center;">Statement</p> <p>The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.</p> <p style="text-align: center;"> _____ Signature</p> <p style="text-align: right;">Dated: JUNE 10, 2003</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"><p>I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C F R 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D C 20231.</p><p style="text-align: center;">_____ Signature of Person Mailing Correspondence</p><p style="text-align: center;">_____ Typed or Printed Name of Person Mailing Correspondence</p></div> <p>cc:</p>			

RECEIVED

OCT 14 2003

OFFICE OF PETITIONS